IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

M.A.NO. 133/ 2005

Appellant / Claimant : Deepak S/o Rushiram Nandagouri, Aged about 26 years, R/o Bharkapara, Rajnandgaon, P.S. Tahsil & Dist : Rajnandgaon – (C.G.)

Versus

Respondents / Non Applicants :

1. Pawan S/o Derha Rajput Profession Driver, R/o Bharkapara, Rajnandgaon-(C.G.)

2. R.K.Gupta Through Gajanand Khetkar R/o Labour Colony-119 Rajnandgaon-(C.G.)

3. The Oriental Insurance Company Ltd., Divisional Office, Durg-(C.G.)

P.R. No. 343/05 Presented by Shri Rishi Sharma dated 21.12.05

MISC. APPEAL U/S 173 OF THE MOTOR VEHICLES ACT 1988 FOR ENHANCEMENT OF COMPENSATION.

HIGH COURT OF CHHATTISGARH: BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 133 OF 2005

Appellant: Deepak S/o. Rushiram Nandagouri

Versus

Respondents: Pawan s/o. Derha Rajpur & Others

(Arising out of Claim Case No. 108/2001)

03/02/2007

Shri Abhishek Sharma, counsel for the appellant.

None for respondents No. 1 and 2.

Shri J.M. Gairola, Divisional Manager, the Oriental Insurance Company Limited with Shri A.K. Athalay, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs. 30,000/- (Rupees Thirty thousand only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No. 1 and 2 stands dismissed.
6) Out of the above amount, Rs.300/- (Rupees three hundred only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Raju